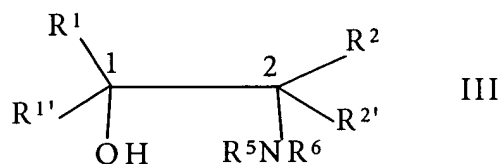


Remarks

Claims 3-13 are canceled without prejudice. Claims 1 and 2 as originally presented are under consideration in the application.

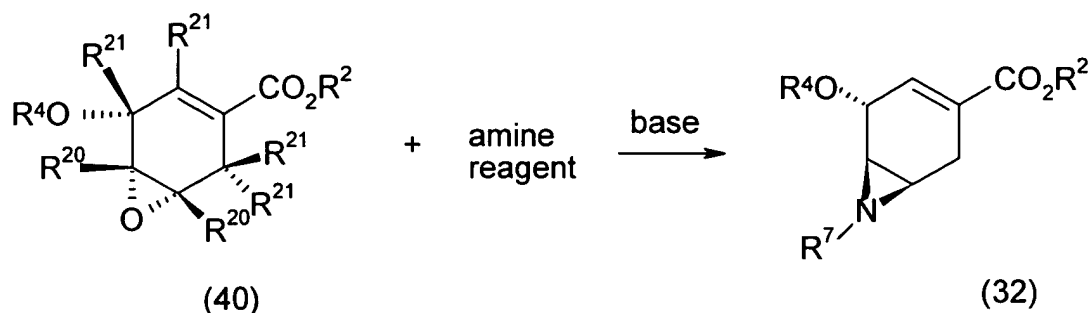
The present invention is directed to a process of preparing a 2-aminoalcohol of formula III comprising treating a 1,2-epoxide of formula (II) with an amine of formula R^5NHR^6 in the presence of a magnesium halide catalyst. The resulting 2-aminoalcohol of formula III of the claimed process is as follows:



Applicants have recognized that the use of a magnesium halide in the above reaction is preferred. Magnesium halides are found to be the preferred catalysts for the ring opening of 1,2-epoxides with amines in accordance with the present invention.

Claims 1-13 stand rejected under 35 USC § 103(a) as obvious over Kent et al. (US Patent No. 6,204,398). The Examiner argues that Kent et al. disclose a process for preparation of a 2-aminoalcohol by treating a 1,2-epoxide of formula (40) with an amine in the presence of a base. The Examiner has acknowledged that Kent et al. does not suggest the use of the recited magnesium halide catalyst in the reaction. The Examiner nevertheless concludes that process claims 1 and 2 are rendered obvious by Kent et al.

Kent et al. report at Col. 20, line 45 through Col. 21, line 17, a process for preparing a 2-aminoalcohol compound of formula (41) by reacting an epoxide compound (40) with an amine reagent HY^1 . With respect to use of a base in the reaction of the epoxide (40) with the amine reagent, Kent et al. indicate in Col. 21, lines 18-25, that an aziridene compound (32) is produced as shown below.



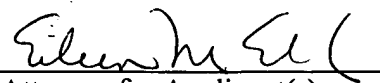
As can be seen in the structure of the starting material, compound (40), the oxygen atom forms the three-membered ring of the epoxide by attachment to two carbon atoms of the cyclohexene ring. Aziridine compound (32) also contains a three-membered ring, although it is the -NR^7 group that attaches to two carbon atoms of the cyclohexene ring. Kent et al. suggest that the use of a base in the reaction involves production of a compound which retains a three-membered ring structure bound to the cyclohexene ring, as part of a ring system. In view of Kent et al., one skilled in the art would avoid use of a base upon seeking to selectively prepare a 2-aminoalcohol such as that of formula III of the present invention. Moreover, Kent et al. fail to suggest or provide motivation for the claimed process which uses a magnesium halide catalyst.

It is believed that the rejection of claims 1 and 2 has been overcome. Reconsideration and withdrawal of the rejection is respectfully requested.

A Petition for Extension of Time - 1 month, is enclosed. If any required fees are missing or deficient, please charge our deposit account number 08-2525.

A Supplemental Information Disclosure Statement is enclosed. The cited portion of the March text, March, "Advanced Organic Chemistry", 4th ed., pg. 425-427 was referenced by Kent, et al. at Col. 21, lines 23-25.

Respectfully submitted,



Attorney for Applicant(s)

Eileen M. Ebel, Esq.

(Reg. No. 37,316)

340 Kingsland Street

Nutley, New Jersey 07110

Telephone: (973) 235-4391

Telefax: (973) 235-2363

131508